

PRO3 128  
(7/93)

Report Date: April 7, 2011

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

APR 11 2011

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender***(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Michael Charles Griggs

Case Number: 2:92CR00201-001

Name of Sentencing Judicial Officer: The Honorable Justin L. Quackenbush, Senior U.S. District Judge

Date of Original Sentence: 6/4/1993

Type of Supervision: Supervised Release

Original Offense: Attempted Armed Bank Robbery,  
18 U.S.C. § 2113(d); Assaulting or Interfering with a  
Special Agent, 18 U.S.C. § 111(a)(b); Using/Carrying  
a Firearm in Relation to a Crime of Violence, 18  
U.S.C. § 924c; and Felon in Possession of a Firearm,  
18 U.S.C. 922(g)(1) & 18 U.S.C. 924(e)

Date Supervision Commenced: 1/15/2010

Original Sentence: Prison - 180 Months; TSR - 60  
Months

Date Supervision Expires: 1/14/2015

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 16 You shall abstain from alcohol and shall submit to testing (including urinalysis and breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

**CAUSE**

Michael Griggs violated a condition of his supervised release in Spokane, Washington, on or about April 3, 2011, by being arrested for driving under the influence. Driving under the influence is a gross misdemeanor with a maximum term of confinement of 1 year, as outlined in RCW 46.61.502.

Spokane Police Department records reflect that the offender was detained on the above-referenced date and cited for driving under the influence. According to the arresting officer, Michael Griggs refused to submit to a breathalyzer test.

On April 3, 2011, Michael Griggs contacted the undersigned officer by telephone to advise of the aforementioned law enforcement contact.

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As an intermediate sanction, Michael Griggs was directed to abstain from the use of alcohol until further notice. Additionally, he was directed to participate in a substance abuse assessment and follow all recommendations for counseling, to include group and individual meetings. The undersigned officer discussed this matter with the chemical dependency counselor and confirmed the offender has commenced counseling.

Although Mr. Griggs admits consuming alcohol to excess on the date noted, he appeared remorseful given his lack of judgment surrounding this incident. It is his intent to follow all court-ordered treatment and/or intervention programs. In fact, he participated in a substance abuse evaluation at Pioneer Human Services on April 5, 2011. He also appeared in Spokane County District Court on April 4, 2011, regarding this matter.

Michael Griggs was asked whether he would waive his right to a hearing and agreed to the modification as previously described. As indicated by the enclosed Waiver of Hearing to Modify Conditions of Probation form, Mr. Griggs has agreed to the proposed modifications.

It is respectfully recommended that the attached Waiver of Hearing to Modify Conditions of supervised release be adopted.

Please advise should Your Honor require a different course of action or a Court appearance by the offender.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 04/07/2011

s/Tommy Rosser

Tommy Rosser  
U.S. Probation Officer

#### THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

  
Signature of Judicial Officer

4/11/11  
Date